IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 5185 of 2005

Between:

1 Kadamanchi Narsaiah, S/o Yadagiri,
2 T. Mallesham, S/o Katalu,
3 Smt. Ch. Narsamma, w/o Chandraiah,
4 Smt. P. Pochamma, W/o P. Kishan,
5 Turpati Kistaiah, s/o Mallaiah,
6 Kadamanchi Sainath, s/o Ramaiah,
8 Chintala Sarojana, w/o Mallaiah,
7 Chintala Uppalaiah, S/o Venkataiah,
9 Chintala Swaroopa, W/o Chandramouli,
10 Srihari Papaiah, S/o Kondaiah,
11 Teki Venkatamma, w/o Venkataiah,
12 Nune Laxmi, W/o Vaikuntam.
13 Chintala Sriramulu, S/o Janaiah,
14 Paneti Yellamma, W/o Kanakaiah,
15 Vanarasi Sriramulu, s/o Rangaiah,
16 Patti Yadaiah, s/o Guruvaiah,
17 Ch. Sharada, w/o Kanakaiah,
18 Teki Laxmi, W/o Sailu
19 Varanasi Chandravva W/o Rama Swamy
20 Mothi Laxmi, W/o Kanakaiah,
21 Varvatham Mallaiah, S/o Rajaiah
22 Sirgiri Ilavva, W/o Lacharam,
23 Teki Laxmi, W/o. Kanakaiah,
24 Chintala Sathaiah, S/o Muthaiah
25 Vanarasai Mallaiah, S/o Rangaiah
26 Sirigiri Swaroopa, W/o Narayana
27 Vanarasi Masavva, W/o Yellaiah,
28 Parvatham Shoba, W/o. Srinivas
29 Vanarasi Laxmi, W/o. Gopal
30 Mothi Laxmi, W/o. Sailu
31 Sirigiri Venkatavva, W/o. Rajamallu
32 Vanarasi Pochavva, W/o. Venkataiah
33 Duram Laxmi, W/o. Mallaiah
34 Srigiri Swaroopa, W/o. Saraiah

35 Thurupati Jyothi, W/o. Ramesh
36 Chintala Pochavva, W/o. Venkataiah
37 Peneti Ilaiah, W/o. Muthaiah
38 Sirigiri Rajitha, W/o. Sammaiah
39 Turupati Laxmi, W/o. Narsaiah
40 Nune Muthyalu W/o. Yadaiah
41 Teki Rangavva, W/o. Yadaiah
42 Nune Laxmi, W/o. Mallaiah
43 Pastam Laxmi, W/o. Anjaiah
44 Vanarasai Venkataiah, S/o. Pentaiah
45 Kadamanchi Prameela, W/o. Mallaiah
46 Chintala Laxmi, W/o. Yadagiri
47 Chennuri Renuka, W/o. Mallaiah
48 Pravatham Pochavva, W/o. Venkataiah
49 Chintala Bhagyamma, Venkataiah
50 Pravatham Mallaiah, S/o. Mallaiah
51 Vanarasi Venkataiah, W/o. Mallaiah
52 Chintala Narmadha, W/o. Srinivas
53 Kadamanchi Yadaiah, S/o. Ramaiah
54 Vanarasi Laxmi, W/o. Narsaiah
55 Konkiti Laxmi, W/o. Ramulu
56 Chintala Laxmi, W/o. Chandraiah
57 Chennuri Kanakakavva, W/o. Chandraiah
58 Teki Saravva, W/o. Mallaiah
59 Chintala Venkataiah, S/o. Malahari
60 Chennuri Venkatamma, W/o. Kanakaiah
61 Nune Venkatavva, W/o. Mallaiah
62 Vanarasi Venkatamma, W/o. Venkataiah
63 Peneti Chandraiah, W/o. Muthaiah
64 Chennuri Sathaiah, W/o. Guruppa
65 Kadamanchi Rajeshwari, W/o. Laxmaiah,
66 Nune Laxmi, W/o. Maibul,
67 Thurapati Laxmi, S/o. Sathaiah,
68 Ubidi Sammakka, W/o. Thirupathi,
69 Turupati Yellavva, W/o. Yadaiah,
70 Chintala Mallavva, W/o. Narsaiah,
71 Kadamanchi Kanakaiah, S/o. Ramaiah,
72 Kadamanchi Anjaiah, S/o. Chandraiah,
73 Sirigiri Rajeshwari, W/o. Sammaiah
74 Parvatham Narsaiah, S/o. Chandraiah,

All are R/o Rampur Village, Karimnagar Town, Karimnagar District.

..... PETITIONERS

AND

1 The District Collector, Karimnagar District, Karimnagar Town, Karimnagar.
2 The Mandal Revenue Officer, Karimnagar, Mandal, KarimnagarTown and District.
3 The Deputy Commissioner, Warangal Zone, Endowments Department,

Warangal Town, Warangal District.

4 The Assistant Commissioner, Endowments Department,
Karimnagar Town, Karimnagar District.

5 The Commissioner , Endowments Departments
Government of Andhra Pradesh, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly one in the nature of Writ of mandamus declaring the proceedings of respondent No.3 vide proceedings No. Rc.No. B2/1071/2001,dt. 8-10-2004 as against the law and the principles of natural justice and further directing the respondents Nos. 1 and 2 to consider the representations of the petitioners and issue patta certificates or allot the land on receiving the cost of the land, and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.J.SOMASUNDARAM

Counsel for the Respondents: GP FOR REVENUE

& GP FOR ENDOWMENTS.

The Court at the stage of admission made the following :

***ORAL ORDER*:**

Heard both sides. Perused the material placed before me.

The only grievance of the petitioners is that in spite of their continuous possession and enjoyment over the lands belong to the temple, the third respondent issued proceedings No. RC No. B2/1071/2001 dated 8-10-2004 asking the petitioners to vacate the lands.

The learned counsel for the petitioners contended that the petitioners constructed houses in the said lands about 20 years ago and have been living in the said houses uninterruptedly.

But it is to be seen that admittedly they are encroachers of the lands belong to the temple. In which event, they cannot have any right what so ever to continue in the said lands.

It is further contended by the learned counsel for the petitioners that the lands may be assigned to the petitioners for marked price. In this regard this Court cannot give any direction to the respondents. However, the petitioners are at liberty to approach the competent authority including the Government seeking redressal in appropriate manner and upon any such representation being made by the petitioners, the authorities concerned shall consider the same as expeditiously as possible, keeping in view of the possession of the petitioners over the said lands for a long period.

With the above directions, the writ petition is disposed of at the stage of admission. No costs.

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kvsn 17-03-2005

To

1 The District Collector, Karimnagar District, Karimnagar Town, Karimnagar.
2 The Mandal Revenue Officer, Karimnagar, Mandal, KarimnagarTown and District.

3 The Deputy Commissioner, Warangal Zone, Endowments Department, Warangal Town, Warangal District.
4 The Assistant Commissioner, Endowments Department, Karimnagar Town, Karimnagar District.
5 The Commissioner , Endowments Departments Government of Andhra Pradesh, Hyderabad.

6 Two CCs to GP for Revenue, High Court buildings, Hyderabad.

7 Two CD copies.